

Application No. 09/912,670

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TC Art Unit: 1644

Confirmation No.: 6394

AMENDMENT TO THE CLAIMS

The Applicants cancel herein claims 1 - 23 and 25 - 41 as being drawn to non-elected inventions. Applicants' cancellation of these claims is not to be construed as an admission that the Examiner's restriction requirements were proper. The restricted claims have been cancelled for the sole purpose of advancing the case to allowance. The Applicants intend to file continuing applications to continue the prosecution of the claims that have been restricted out.

Applicants add herein new claims 42 and 43. The status of the claims following this amendment is as follows:

Claims 1 - 23 (Cancelled)

24. (Original) A method for down-regulating a T cell-mediated autoimmune response in a tissue site in an animal, comprising directly injecting genetic material for expressing  $\alpha$ -MSH, into or near the autoimmune-diseased tissue site.

Claims 25 - 41 (Cancelled)

42. (New) The method of claim 24, wherein the animal is a human, a mouse, a rat, a dog, a cat, a rabbit or a horse.

43. (New) The method of claim 24, wherein the autoimmune-diseased tissue site is an eye of the animal.